IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7031 OF 2005

Musa Gulab Shaikh ....
Petitioner
V/s
Education Officer & Ors..... .....
Respondents.

Office Notes, Office Memoranda) Court's or Judge's Orders
of Coram, appearances)
Court's orders or directions and)
Registrar's orders.)

Mr.M.A.Chaudhari, Adv. for the petitioner.

Mr.Vijay Killedar i/by Mr.Nitin Jamdar for respondent No.1.

Mr.A.P.Kulkarni, Adv. For respondent No.2.

Mr.M.H.Solkar, AGP for respondent Nos. 3 to 5.

Mr.M.S.Karnik, Adv. For respondent No.6.

CORAM: A.P. DESHPANDE, J.
14.6.2007

PC:

The petitioner belatedly questions the promotion granted to respondent Mr.T.D.Satpute on the ground of supersession of claim. The said challenge came to be negated by the Division Bench judgment of this Court dated 5.6.2000

passed in Writ Petition NO.962/96. In para 4 of the judgment the Court observed thus:

> "We however make it clear that the order passed by Administrative Officer will not affect the appointment of respondent No.6 as Head Master."

By so observing the Administrative Officer was directed to decide the seniority of the petitioner. In the year 2003 the petitioner has retired from service on attaining age of superannuation. Whereas Mr.Satpute continues in service. In the present petition an order by the Administrative Officer deciding the seniority has been challenged. The issue in regard to seniority is only academic after retirement of the petitioner. Hence no interference is called for. Writ Petition is summarily dismissed.

14.6.07.